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March 4, 2005

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ATTORNEY GENERALS OFFICE

MAR 4 2005

RECEIVED
CONSTITUTIONAL OFFICES

Via Hand Delivery

Ohio Attorney General, Jim Petro
Mr. Arthur Marziale
Sr. Deputy Attorney General
Constitutional Offices Section
30 East Broad Street, 17th Floor
Columbus, Ohio 43215

Re: Request for Certification of Initiative Petition
Amendment to Ohio Constitution Article XV, Section 6
(100 signatures)

Dear Mr. Marziale:

Enclosed please find an original initiative petition, submitted pursuant to Ohio Revised Code Section 3519.01 *et seq.*, for review and certification by the Office of the Attorney General, on behalf of our client. The petition is comprised of 5 part petitions, with 5 correlate solicitor certifications. There are a total of 152 signatures provided, which exceed the 100 required by law.

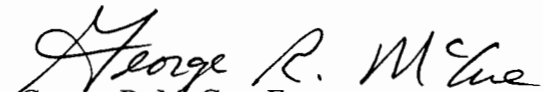
We would respectfully request a review of the enclosed petition and certification in accordance with O.R.C. Section 3519.01.

If you have any questions, or if we can provide additional information, please do not hesitate to contact us. I can be reached at 614-229-4542, and my partner Laura Comek can be reached at 614-229-4557.

Ohio Attorney General, Jim Petro
Mr. Arthur Marziale
March 4, 2005
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Thank you for your assistance with respect to this matter.

Very truly yours,
CRABBE, BROWN & JAMES, LLP


George R. McCue, Esq.
Laura MacGregor Comek, Esq.

GRM:LMC:lag

Enclosures

INITIATIVE PETITION

NUMBER _____

COUNTY CUYAHOGA

ISSUED TO Bernard J. Austin
(Name)

DATE OF ISSUANCE 2/21/05

**TWO AMENDMENTS TO THE OHIO CONSTITUTION
HEREBY PROPOSED BY INITIATIVE PETITION,
TO BE SUBMITTED DIRECTLY TO THE ELECTORS**

AMENDMENT

TITLE

An initiative petition with two separately proposed amendments to
Article XV, Section 6 of the Ohio Constitution.

SUMMARY

THE FIRST PROPOSED AMENDMENT PROVIDES THAT A HOME RULE MUNICIPALITY WITH A POPULATION OF AT LEAST 50,000 PEOPLE OR A COUNTY WITH AN ENTERTAINMENT ATTRACTION THAT DRAWS AT LEAST ONE MILLION PATRONS PER YEAR, MAY HAVE CASINO GAMBLING ONLY WITHIN THAT MUNICIPALITY OR COUNTY'S JURISDICTIONAL BOUNDARY. THIS AMENDMENT IS NECESSARY BECAUSE THE OHIO CONSTITUTION CURRENTLY PERMITS ONLY BINGO AND THE STATE LOTTERY.

THE SECOND PROPOSED AMENDMENT PROVIDES THAT SLOT MACHINES MAY BE PERMITTED ONLY AT HORSE RACE TRACKS. THIS AMENDMENT IS NECESSARY BECAUSE CURRENT OHIO LAW PROHIBITS SLOT MACHINES.

**CERTIFICATE OF ATTORNEY GENERAL
(AS CERTIFIED TO THE COMMITTEE ON _____)**

Without passing upon the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon me under Section 3519.01(A) of the Ohio Revised Code, I hereby certify that the attached summary is a fair and truthful statement of the proposed amendments to Article XV, Section 6 of the Ohio Constitution.

Jim Petro
ATTORNEY GENERAL

COMMITTEE TO REPRESENT THE PETITIONERS

FULL TEXT OF PROPOSED AMENDMENT

Be it resolved by the people of the State of Ohio:

Article XV Section 6 of the Ohio Constitution is amended to read as follows (deleted language is struck through and new language is in all capital letters):

§ 6. Lotteries

Except as otherwise provided in this section, lotteries, and the sale of lottery tickets, for any purpose whatever, shall forever be prohibited in this State.

The General Assembly may authorize an agency of the state to conduct lotteries, to sell rights to participate therein, and to award prizes by chance to participants, provided that the entire net proceeds of any such lottery are paid into a fund of the state treasury that shall consist solely of such proceeds and shall be used solely for the support of elementary, secondary, vocational, and special education programs as determined in appropriations made by the General Assembly.

The General Assembly may authorize and regulate the operation of bingo to be conducted by charitable organizations for charitable purposes.

THE LEGISLATIVE AUTHORITY OF ANY HOME RULE CHARTER MUNICIPALITY WITH A POPULATION OF AT LEAST 50,000, OR ANY COUNTY IN WHICH AN ENTERTAINMENT ATTRACTION IS LOCATED THAT DRAWS AT LEAST ONE MILLION PATRONS PER YEAR MAY, BY A MAJORITY VOTE OF THE MEMBERS OF LEGISLATIVE AUTHORITY OR THROUGH THE INITIATIVE PETITION OF ITS ELECTORS, AND UPON THE AFFIRMATIVE VOTE OF A MAJORITY OF ITS ELECTORS, AUTHORIZE PRIVATE CASINO GAMBLING WITHIN THE MUNICIPALITY OR COUNTY JURISDICTIONAL BOUNDARIES. THE MUNICIPALITY OR COUNTY MAY THEREAFTER ENACT AND ENFORCE REGULATIONS REGARDING THE ESTABLISHMENT AND OPERATION OF PRIVATE CASINO GAMBLING.

THE LEGISLATIVE AUTHORITY OF ANY LOCAL JURISDICTION IN WHICH A HORSE TRACK IS LOCATED MAY, BY A MAJORITY VOTE OF THE MEMBERS OF THE LEGISLATIVE AUTHORITY OR THROUGH THE INITIATIVE PETITION OF ITS ELECTORS, AND UPON THE AFFIRMATIVE VOTE OF A MAJORITY OF ITS ELECTORS, AUTHORIZE MANUAL OR ELECTRONIC SLOT MACHINES AT HORSE RACE TRACKS LOCATED WITHIN THE JURISDICTION. THE GENERAL ASSEMBLY MAY AUTHORIZE AND REGULATE THE OPERATION OF SLOT MACHINES AT SUCH HORSE RACE TRACKS.